

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

**AVERY HUTCHESON and
DANYELLE HUTCHESON,**

Plaintiffs,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

Case No. 6:14-cv-03499-DPR

**DEFENDANT’S MOTION TO DISMISS CERTAIN COUNTS OF FIRST AMENDED
COMPLAINT OR, ALTERNATIVELY, TO STRIKE COUNT III OF FIRST AMENDED
COMPLAINT**

Defendant JPMorgan Chase Bank, N.A. (“Chase”), pursuant to Fed. R. Civ. P. 12(b)(6), moves the Court to dismiss Counts I-III of the First Amended Complaint of Plaintiffs Avery Hutcheson and Danyelle Hutcheson for failure to state a claim on which relief can be granted and/or for violating the Court’s prior dismissal order, ECF 28. Chase directs the Court to the Suggestions filed contemporaneously in support of this Motion.

Respectfully submitted,

BRYAN CAVE LLP

By: s/ Jennifer A. Donnelly

Jennifer A. Donnelly MO #47755
1200 Main Street, Suite 3800
Kansas City, MO 64105
(816) 374-3200 telephone
(816) 374-3300 facsimile
jadonnelli@bryancave.com

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This certifies that on the 26th day of May 2015, the foregoing was served via the Court's Electronic Case Filing System, which will send notice of the filing to the following counsel of record:

Les Boyle
Les Boyle, LLC
1911 South National Avenue, Suite 303
Springfield, MO 65804

ATTORNEY FOR PLAINTIFFS

s/ Jennifer A. Donnelly

Attorney for Defendant